

significant increase in funding for the Nation Institute on Aging and cooperative clinical research at the National Institute on Aging (NIA) to improve the existing clinical trial infrastructure, develop new ways to design clinical trials, and make it easier for patients to enroll.

The bill also focuses efforts to help the caregivers of Alzheimer's patients. Presently, care giving comes at enormous physical, emotional, and financial sacrifice. One in eight Alzheimer caregivers becomes ill or injured as a direct result of care giving, and older caregivers are three times more likely to become clinically depressed than others in their age group. Research is needed to find better ways to help caregivers bear this tremendous, at times overwhelming responsibility. This bill reauthorizes the Alzheimer's Demonstration Grant Program. These grants allow states to provide services like home care, respite care, and day care to patients and families, with Alzheimer's disease.

Mr. Speaker the best way to fight this disease and reduce the number of patients who suffer from Alzheimer's disease is to find ways to prevent it before it starts. Investments we make now in Alzheimer's disease and aging research mean longer, healthier lives for all of us. If we can delay the onset of Alzheimer's disease by even 5 years, it would save this country billions of dollars—and would improve the lives of millions of families. Congress must act now to strengthen the federal commitment to preventive Alzheimer's and to finding a cure for this devastating disease and provide for caregivers."

#### INTRODUCTION OF H.R. , THE CIVIL LIBERTIES RESTORATION ACT

#### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 2004*

Mr. BERMAN. Mr. Speaker, today I am joined by my colleague BILL DELAHUNT (D-MA) in introducing the Civil Liberties Restoration Act. Two and a half years ago, following the attacks of September 11, the Attorney General asked Congress for a long list of new powers he felt were necessary to protect the United States from future terrorist attacks. Six weeks later, Congress granted those powers in the USA PATRIOT Act.

I voted for the PATRIOT Act in 2001 because I felt that a number of its provisions provided essential tools to fight terrorism. I did so expecting that Congress would undertake diligent oversight of the Attorney General's use of the tools we provided. Unfortunately, that has not been the case.

The Civil Liberties Restoration Act (CLRA) is our effort to return oversight to our legal system and restore the kind of checks and balances that are the foundation of our government.

Since we enacted the PATRIOT Act almost three years ago, there has been tremendous public debate about its breadth and implications on due process and privacy. I do believe that there are some misperceptions about the law and its effects, but I also believe that many of the concerns raised are legitimate and worthy of review by Congress.

The CLRA does not repeal any part of the PATRIOT Act, nor does it in any way impede

the ability of agencies to share information. Instead, it inserts safeguards in a number of PATRIOT provisions.

The bill addresses two pieces of the PATRIOT Act in particular. First, it ensures that when the Attorney General asks a business or a library for personal records, he must be targeting an agent of a foreign power. Second, the bill would make clear that evidence gained in secret searches under the Foreign Intelligence Surveillance Act (FISA) cannot be used against a defendant in a criminal proceeding without providing, at the very least, a summary of that evidence to the defendant's lawyers. One of my biggest concerns when we passed the PATRIOT Act was that the changes we made in FISA would encourage law enforcement to circumvent the protections of the 4th Amendment by conducting searches for criminal investigations through FISA authority rather than establishing probable cause. This provision in the CLRA does not take away any of the powers we provided in the PATRIOT Act. It simply requires that if the government wants to bring the fruits of a secret search into a criminal courtroom it must share the information with the defendant under existing special procedures for classified information.

The Civil Liberties Restoration Act deals with more than the PATRIOT Act. It also addresses a number of unilateral policy actions taken by Attorney General Ashcroft both before and after enactment of the PATRIOT Act without consultation with or input from the Congress. For example, the Administration has undertaken the "mining" of data from public and non-public databases. Left unchecked, the use of these mining technologies threatens the privacy of every American. The CLRA requires that any federal agency that initiates a data-mining program must report to Congress within 90 days so that the privacy implications of that program can be monitored.

The Attorney General unilaterally instituted a number of policies dealing with detention of noncitizens that we address. For example, the AG ordered blanket closure of immigration court hearings and prolonged detention of individuals without charges. The CLRA would permit those court hearings to be closed to protect national security on a case by-case basis and requires that individuals be charged within 48 hours, unless they are certified as a threat to national security by the AG as mandated under the Patriot Act.

The CLRA also addresses the special tracking program (known as NSEERS) created by the Attorney General, which requires men aged 16 and over from certain countries to be fingerprinted, photographed and interrogated for no specific cause. This program creates a culture of fear and suspicion in immigrant communities that discourages cooperation with antiterrorism efforts. The CLRA terminates this program and provides a process by which those individuals unjustly detained could proceed with interrupted immigration petitions. This is the only provision of the CLRA that eliminates a program outright, but this program has already been partially repealed by the Department of Homeland Security and largely replaced by the US VISIT system.

When I voted for the PATRIOT Act, I understood that my vote carried with it a duty to undertake active oversight of the powers granted by the bill and carefully monitor their use. Congress should continue to examine whether

the policies pursued by the Attorney General are the most effective methods to protect our nation from terrorists, whether they represent an efficient allocation of our homeland security resources, and whether they are consistent with the foundations of our democracy. It is my hope that we will enjoy an active debate on these issues and this legislation.

#### PAYING TRIBUTE TO RICHARD BACA

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 2004*

Mr. MCINNIS. Mr. Speaker, today I rise to honor the accomplishments of Richard Baca of Grand Junction, Colorado. Richard has done much to improve higher education in the State of Colorado. After thirty-two years at Mesa State College, he is retiring as the college's assistant vice president of student affairs and enrollment management. As Richard celebrates his retirement, let it be known the Mesa State College community and I are eternally grateful for all that he has accomplished during his tenure with the college.

After receiving a doctorate from the University of Northern Colorado, Richard started as a counselor and staff assistant at Mesa State. From there he worked his way through the ranks to his current position as vice president of student affairs and enrollment management. Along the way he held positions as director of counseling, director of student life, director of academic records and dean of student services. As the college grew, Richard's noted contributions include his efforts to encourage diversity. Specifically, Richard helped the college establish the Cultural Diversity Board and an event to celebrate diversity, "Unity Fest."

Mr. Speaker, I wish to commend the efforts of Richard Baca and his contributions to Grand Junction, the State of Colorado and higher education. His commitment to diversity was also a commitment to Colorado's future. I would like to thank Richard and wish him the best of success in his future endeavors.

#### REMEMBERING BOB HANEY

#### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 2004*

Mr. HALL. Mr. Speaker, I am honored today to pay tribute to a dedicated patriot, great East Texan, and true friend who passed away recently—Bob Haney of Anna, Texas.

Bob and I became friends when we served together in the U.S. Navy in World War II. We stood together on the *Copahee* aircraft carrier when we received the notice that America had dropped atomic bombs on Japan. Bob was optimistic that the war would soon be over, and he told me that we would be home in a matter of weeks—and we were.

Bob became a lifelong advocate for veterans and for disabled American veterans. He served as a Veterans Service Officer in Dallas for many years and was my trusted advisor on military and veterans issues.

When we dedicated the World War II Memorial in Washington over Memorial Day